REMARKS

The present application was filed on December 14, 1999 with claims 1-8. Claims 9-19 were added in an Amendment dated March 7, 2001. In the outstanding Office Action dated June 5, 2002, the Examiner has: (i) objected to claims 1-5, 9-12 and 18; (ii) rejected claims 1, 3-5 and 9-12 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,233,561 to Junqua et al. (hereinafter "Junqua"); (iii) rejected claims 6-8, 13, 17 and 19 under §102(e) as being anticipated by U.S. Patent No. 6,356,865 to Franz et al. (hereinafter "Franz"); (iv) rejected claim2 under 35 U.S.C. §103(a) as being unpatentable over Junqua in view of "well-known prior art;" and (v) rejected claims 14, 15 and 18 under §103(a) as being unpatentable over Franz in view of Junqua.

In this response, claims 1 and 18 have been amended for clarity. Furthermore, Applicants traverse the §102 and §103 rejections for at least the reasons set forth below. Applicants respectfully request reconsideration of the present application in view of the above amendments and the following remarks.

Claims 1 and 18 have been amended in a manner which Applicants believe addresses the Examiner's objections. Specifically, the recitation of the term "speech decoding engine" in the claims has been replaced by the term "speech recognition engine," as suggested by the Examiner. These amendments were not made in view of the prior art and no narrowing of scope is intended.

Claims 1, 3-5 and 9-12 have been rejected under §102(e) as being anticipated by the Junqua reference. Specifically, the Examiner contends that Junqua teaches all of the elements of the invention, as set forth in the above claims (present Office Action; pages 3-5). Applicants respectfully disagree with this contention. Moreover, without characterizing the Junqua reference, Applicants submit herewith an Affidavit Under 37 C.F.R. §1.131. The Affidavit is signed by the inventors named on the present application. The Affidavit and its associated exhibits evidence the conception and reduction to practice of an invention falling within one or more of the independent claims of the present application at least prior to January 29, 1999, and thus prior to the April 12, 1999 effective date of the Junqua reference. Consequently, Applicants respectfully submit that the Junqua reference should not be considered prior art in the present application. Accordingly, favorable reconsideration and allowance of claims 1, 3-5 and 9-12 are respectfully solicited.

Claims 6-8, 13, 17 and 19 stand rejected under §102(e) as being anticipated by the Franz reference. The Examiner contends that Franz teaches all of the elements of the invention, as set forth in the above claims (present Office Action; pages 8-9). Applicants respectfully disagree with this contention. Without characterizing the Franz reference, Applicants assert that, as previously stated, the Affidavit and its associated exhibits submitted herewith evidence the conception and reduction to practice of an invention falling within one or more of the independent claims of the present application at least prior to the January 29, 1999 effective date of the Franz reference. Therefore, Applicants respectfully submit that the Franz reference should not be considered prior art in the present application. Accordingly, favorable reconsideration and allowance of claims 6-8, 13, 17 and 19 are respectfully requested.

Claim 2 stands rejected under §103 as being unpatentable over the Junqua reference in view of "well-known prior art." Specifically, the Examiner acknowledges that Junqua does not explicitly teach "the step of audibly notifying the user that the new application is useable via the audio output system" (present Office Action; page 10, paragraph 4). However, the Examiner contends that it would have been obvious to one of ordinary skill in the art "to use an audible notification because an artisan with ordinary skill in the art would recognize that would help the user to know which applications are available to use" (present Office Action; page 10; paragraph 4). Applicants respectfully disagree with the Examiner's contention in this regard. Moreover, as previously stated, Applicants assert that Junqua should not be considered prior art in the present application. Accordingly, favorable reconsideration and allowance of claim 2 is respectfully solicited.

Claims 14, 15 and 18 stand rejected under §103 as being unpatentable over Franz in view of Junqua. Specifically, with regard to claims 14 and 15, the Examiner acknowledges that Franz does not explicitly teach the steps of "storing one or more user experience parameters," "selecting a prompt from a set of prompts for presentation to the user," and "storing an internal data set" (present Office Action; page 11). However, the Examiner contends that such steps are taught by Junqua. Applicants respectfully disagree with the Examiner's contentions. Moreover, as stated above, Applicants assert that neither Franz nor Junqua should be considered prior art in the present application. Accordingly, favorable reconsideration and allowance of claims 14, 15 and 18 are

Application Serial No. 09/460,913

respectfully requested.

  In view of the foregoing, Applicants believe that pending claims 1-19 are in condition for allowance and respectfully request withdrawal of the §102 and §103 rejections.

  Attached hereto is a marked-up version of the changes made to the claims by the present Amendment. The attachment is captioned "Version with markings to show changes made."

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Respectfully submitted,

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Enclosure: Affidavit Under 37 C.F.R. §1.131

engine which, accepting data from that element, generates a synthesized output that expresses that element; and (vii) the audio output system audibly presenting the synthesized output to the user; a method for modifying a data structure containing the at least one user interface data set, comprising:

adding a new application to the device;

generating a second user interface data set in accordance with the new application, the second user interface data set representing spoken language interface elements and data recognizable by the new application;

transferring the second user interface data set from the device to the apparatus; and

loading the second user interface data set into the data structure of the apparatus.

18. (Amended) The apparatus of claim 16, wherein the portable spoken language interface device comprises a personal speech assistant (PSA), the PSA comprising:

an audio input system for receiving speech data provided by the user;

an audio output system for outputting speech data to the user;

a speech [decoding] recognition engine for generating an output in response to spoken utterances;

a speech synthesizing engine for generating a synthesized speech output in response to text data;

a dialog manager operatively coupled to the device, the audio input system, the audio output system, the speech [decoding] recognition engine and the speech synthesizing engine; and

at least one user interface data set operatively coupled to the dialog manager, the user interface data set representing spoken language interface elements and data recognizable by the application of the device;

wherein:

the dialog manager enables connection between the input audio system and the speech [decoding] recognition engine such that the spoken utterance provided by the user is provided from the input audio system to the speech [decoding] recognition engine;

8

the output generated by the speech [decoding] <u>recognition</u> engine is returned to the dialog manager;

the dialog manager uses the output generated by the speech [decoding] <u>recognition</u> engine to search the user interface data set for a corresponding spoken language interface element and data which is returned to the dialog manager when found;

the dialog manager provides the spoken language interface element associated data to the application of the device for processing in accordance therewith;

the application of the device, on processing that element, provides a reference to an interface element to be spoken;

the dialog manager enables connection between the audio output system and the speech synthesizing engine such that the speech synthesizing engine which, accepting data from that element, generates a synthesized output that expresses that element; and

the audio output system audibly presents the synthesized output to the user.